

MELINDA HAAG (CABN 132612)  
 United States Attorney  
 DAVID R. CALLAWAY (CABN 121782)  
 Chief, Criminal Division  
 JOSE A. OLIVERA (CABN 279341)  
 Assistant United States Attorney  
 450 Golden Gate Avenue, Box 36055  
 San Francisco, California 94102-3495  
 Telephone: (415) 436-6888  
 Facsimile: (415) 436-7009  
 E-mail: jose.olivera@usdoj.gov  
 Attorneys for United States of America

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR-13-00408-JST
	)	
Plaintiff,	)	<b>STIPULATION TO EXCLUDE TIME AND</b>
	)	<b><del>[PROPOSED]</del> ORDER</b>
v.	)	
	)	
MUZAFFAR HUSSAIN,	)	
	)	
Defendant.	)	

The United States of America and defendant, Muzaffar Hussain, stipulate and agree as follows:

- On May 19, 2015, the Court excluded time under the Speedy Trial Act, 18 U.S.C. § 3161, in the above-captioned case through November 2, 2015, for effective preparation of counsel. (*See* Dkt. No. 59.) November 2, 2015, is the date trial in this case is set to begin.
- Subsequently, on July 16, 2015, a Superseding Indictment was returned against Defendant charging him with Making and Subscribing False Tax Returns in violation of 26 U.S.C. § 7206(1) (counts 1-13); Willful Failure to Truthfully Account For, Collect, and Pay Over Taxes in violation of 26 U.S.C. § 7202 (counts 14-31); and Structuring Transaction to Evade Reporting Requirements in violation of 26 U.S.C. § 5324(a)(3) (Count 32). (Dkt. No. 66.)
- On August 21, 2015, Defendant was arraigned before Magistrate Judge Donna M. Ryu and pled not guilty to all 32 counts of the Superseding Indictment. (Dkt. No. 72.)
- The United States has provided Defendant with more than 300,000 pages of discovery in this

1 case, including pages recently produced regarding former IRS employee Willie Wilcox. (Dkt.  
2 No. 71.) The defense is in the process of review all the documents in this case along with those  
3 recently produced and needs additional time to complete its review and to effectively prepare for  
4 trial in this case.

- 5 5. For the reasons stated above, time should be excluded from August 25, 2015, 2015, through  
6 November 2, 2015, to permit defense counsel time to review the discovery in this case and to  
7 effectively prepare for trial pursuant to 18 U.S.C. § 3161(h)(7). Failure to exclude time as set  
8 forth above would deny Defendant the reasonable time necessary for effective preparation. The  
9 ends of justice served by granting this request for exclusion of time outweigh the best interest of  
10 the public and the Defendant in a speedy trial.

11  
12 Dated: 8/26/2015

/s/

CYNTHIA STIER  
JOSE A. OLIVERA  
Assistant United States Attorneys

13  
14  
15 Dated: 8/26/2015

/s/

16 DAVID J. COHEN  
17 Attorney for Defendant  
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**ORDER**

PURSUANT TO THE PARTIES' STIPULATION, exclusion of time is warranted from August 25, 2015, through November 2, 2015, because the ends of justice served by this exclusion of time outweigh the best interests of the public and the defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). The failure to grant the requested continuance would deny the Defendant effective preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS SO ORDERED.

Dated: August 26, 2015

  
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THE HONORABLE JON S. TIGAR  
United States District Judge